Patent Application No. 10/606,296
Amdt. Dated September 10, 2008
Reply to Office Action of June 11, 2008

Docket No. SAM1.PAU.14.C

REMARKS

This is a Reply to the Office Action of June 11, 2008. Applicant thanks the Examiner for carefully considering the present application.

Status of Claims

With the addition of new claim 37, Claims 9-37 are pending. Claims 9 and 22 are independent.

Claims 22-36 are rejected under 35 USC §101 for being directed to nonstatutory subject matter. Claims 9-11 and 22-24 were rejected under 35 USC §102(e) as being anticipated by USPN 5,956,487 to Venkatraman et al. ("Venkatraman"). Claims 12-17, 25-30, 34, 35 and 36 were rejected under 35 USC §103(a) as being unpatentable over Venkatraman in view of USPN 5,982,445 ("Eyer"). Claims 20, 21 and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Venkatraman in view of USPN 5,432,789 ("Armstrong"). Claims 18, 19, 31 and 32 were rejected under 35 USC §103(a) as being unpatentable over Venkatraman and Eyer in view of USPN 5,974,449 ("Chang").

Claims Amendments

By way of this Reply, claims 9 and 22 have been amended for clarification. New claim 37 is added. No new matter is added.

Patent Application No. 10/606,296
Amdt. Dated September 10, 2008
Reply to Office Action of June 11, 2008

Docket No. SAM1.PAU.14.C

Rejection under 35 USC §101

Applicant has amended claim 22 to include the limitations of "a server device *coupled to*

a memory for storing web page files" (emphasis added). Therefore, Applicant respectfully

asserts that claims 22-36 contain statutory subject matter.

Accordingly, withdrawal of the rejection of claims 22-36 is respectfully requested.

Rejection under 35 USC §102(e)

Rejection of claims 9-11 and 22-24 under §102(e) as being unpatentable over

Venkatraman is respectfully traversed because for at least the following reasons, Venkatraman

does not disclose all of the claimed limitations.

According to MPEP §2131,

> '[a] claim is anticipated only if each and every element as set forth
> in the claim is found, either expressly or inherently described, in a
> single prior art reference.' (Verdegaal Bros. v. Union Oil Co. of
> California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir.
> 1987)). 'The identical invention must be shown in as complete
> detail as is contained in the ... claim.' (Richardson v. Suzuki Motor
> Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)).
> The elements must be arranged as required by the claim, but this is
> not an ipsissimis verbis test, *i.e.*, identity of terminology is not
> required. (In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir.
> 1990)).

The claimed invention is directed to a method and system for a server device to

communicate with a client device in a home network. Independent claims 9 and 22 require, in

part, sending server device characteristic data from the server device to the client device in

Patent Application No. 10/606,296
Amdt. Dated September 10, 2008
Reply to Office Action of June 11, 2008

Docket No. SAM1.PAU.14.C

response to the client device transmitting a first request signal generated by said client device to

the server device. By contrast, Venkatraman fails to disclose at least the above-mentioned

claimed limitations.

Venkatraman discloses that a user enters a URL on a browser (client) and receives a

webpage from a server (Venkatraman, col. 7, lines 36-51, col. 5, lines 36-42). The application

that allows a user to enter the URL in Venkatraman is pre-set with links of devices that are

selectable. That is, the URLs of the devices in the network are known. Therefore, in

Venkatraman, a user enters a URL (e.g., clicking on a URL link) as a "first request" and the

requested device can send a webpage as "characteristic data" to the client device.

In Applicant's claimed invention, device characteristic data sent by the server device in

response to a first request signal is not a web page but a properties file (see Applicant's

specification, page 3 lines 18 - 21; page 13, lines 1-5; and page 19, lines 1-4) that identifies the

server device and is used in creating a device link page by the client device (see Applicant's

specification page 19, lines 4-6). Distinguishably, in Venkatraman, a device web page 18 sent

by the web server in response to a first HTTP command is a web page (Venkatraman, col. 3

lines 27-32; and col. 7 lines 44-46). Therefore, a device web page 18 in Venkatraman does

not correspond to device characteristic data in step (a), as the instant Office Action asserted,

and thus, Venkatraman fails to disclose the device characteristic data.

A device link page contains server device controls (home device buttons) (see

Applicant's specification, page 18, lines 15-16). A second request signal is generated by the

Patent Application No. 10/606,296
Amdt. Dated September 10, 2008
Reply to Office Action of June 11, 2008

Docket No. SAM1.PAU.14.C

client device when a user selects a server device control associated with the server device, and a web page sent by the server device in response to a second request signal" in step (c) is a top-level page of a home device or a device's home page of the server device (see Applicant's specification, page18 lines 16-20; page 10, lines 3-7 and lines 16-18). A device's home page sent by the server device in response to a second request signal defines the control and command functions for the server device (see Applicant's specification, page10, lines 16-18). In Venkatraman, the device's home page corresponds to a device web page 18 sent by the web server in response to a first HTTP command that defines a set of user interface functions for the device 10 (Venkatraman, col. 3 lines 27-32; and col. 7 lines 44-46).

Further, a device's home page may contain embedded references to other related HTML files than the device's home page (see Applicant's specification, page 10, lines 18-19) as like a device web page 18 in Venkatraman includes a set of hyperlinks 66-68 that direct the web browser to other web pages (Venkatraman, col. 6, lines 59-62; and col. 7, lines 5-7). Therefore, the hyperlinks 66-68 correspond to embedded references, and do not correspond to server device controls in Applicant's step (b), as the instant Office Action asserted, and thus, Venkatraman fails to disclose server device controls.

Moreover, in Venkatraman, a web page 18 including a set of hyperlinks 66-68 does not correspond to a device link page containing server device controls, and a device link page is not disclosed. A first HTTP command in Venkatraman corresponds to a second request signal in step (b), and does not correspond to a first request signal in step (a) as the instant Office Action asserted. Thus, Venkatraman fails to disclose a first request signal in step (a).

Patent Application No. 10/606,296
Amdt. Dated September 10, 2008
Reply to Office Action of June 11, 2008

Docket No. SAM1.PAU.14.C

Further, in Venkatraman, other web pages sent by the web server in response to a second

HTTP command correspond to other related HTML files sent by the server device in response

to a third request signal, and do not correspond to a web page sent by the server device in

response to a second request signal in step (c) as the instant Office Action asserted. Rather, in

Venkatraman, a web page in step (c) corresponds to the device web page 18. A second HTTP

command corresponds to a third request signal, and does not correspond to a second request

signal as the instant Office Action asserted.

In Applicant's claimed invention, the following three broad steps for a server device to

communicate with a client device are recited, of which the following (p1) and (p2) are

contained in Applicant's claims 9 and 22:

(p1) sending server device characteristic data (a Properties file) in response to a first

request signal generated by the client device;

(p2) sending a web page (a device's home page) in response to a second request signal

generated by the client device;

(p3) optionally, sending other related HTML files in response to a third request signal

generated by the client device.

Distinguishably, Venkatraman discloses only the following two broad steps for a web

server to communicate with a web browser, which correspond to steps (p2) and (p3) of the

present application:

(v1) sending a device web page 18 in response to a first HTML command generated by

the web browser;

(v2) sending other web pages in response to a second HTML command generated by the

web browser.

Distinguishable, in Applicant's claimed invention, the webpage of the server device is not

transmitted to the client until the second request is made from the client, and the second

request signal is generated in response to said server device characteristic data. It can readily

be seen that the characteristic data cannot be the webpage, which is distinguishable from

Venkatraman. Additionally, Venkatraman fails to disclose sending a web page in response to

a second request signal generated by the client device of the present application, as required by

claims 9 and 22 of the present application.

In view of the above, Venkatraman fails to disclose the claimed invention as recited in

independent claims 9 and 22 of the present application. Therefore, Applicant respectfully asserts

that a *prima facie* rejection under 35 U.S.C. § 102(e) has not been adequately set forth relative to

Venkatraman. Thus, independent claims 9 and 22 are patentable over Venkatraman for at least

the reasons discussed above. Additionally, the claims that directly or indirectly depend on claim

9 and 22, namely claims 10-11, and 23-24, respectively, are also not anticipated by Venkatraman

for at least the same reasons.

Regarding claims 10 and 23, Applicant further respectfully submits that Venkatraman

further fails to disclose the steps of sending (by the server device) said server device

characteristic data to client device, as claimed. As discussed above, the instant Office Action has

equated the remote web servers (hp.com) to the claimed "server device," and the remote servers

as taught by Venkatraman merely send information stored therein, such as service and product

information, to the user, but do not send the "server device characteristic data" as claimed. Thus,

claims 10 and 23 should be allowable for at least these additional reasons.

Regarding claims 11 and 24, Venkatraman further fails to disclose that the server device

"comprises a home device" as claimed. As discussed above, the instant Office Action has

equated the remote web servers (hp.com) to the claimed "server device," and the remote servers

as taught by Venkatraman clearly are not "home devices" as claimed. Thus, claims 11 and 24

should be allowable for at least these additional reasons.

Regarding new claim 37, Venkatraman discloses that each device has a predetermined

Universal Resource Locator (URL) and that users access a device's web page by entering the

device specific URL (Venkatraman, col. 3, lines 17-19, col. 7, lines 36-51). Thus, it is clear that

Venkatraman does not teach, disclose or suggest that upon said server device being powered on a

unique IP address for said server device is generated. Thus, claim 37 should be allowable for at

least these additional reasons.

Accordingly, withdrawal of the rejection of claims 9-11 and 22-24 is respectfully requested.

Rejection under 35 USC §103(a)

Claims 12-17, 25-30, 34, 35 and 36

Rejection of claims 12-17, 25-30, 34, 35 and 36 under §103(a) as being unpatentable over Venkatraman in view of Eyer is respectfully traversed because the claims include limitations not taught or suggested by the cited references, whether considered separately or in combination. According to MPEP §2142,

> [t]he key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, ___, 82 USPQ2d 1385, 1396 (2007) noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. The Federal Circuit has stated that 'rejections on obviousness cannot be sustained with mere conclusory statements; instead there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.' *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006). See also *KSR*, 550 U.S. at __, 82 USPQ2d at 1396 (quoting Federal Circuit statement with approval).

Further, according to MPEP §2143, "[T]he Supreme Court in *KSR International Co. v. Teleflex, Inc.* 550 U.S. ___, ___, 82 USPQ2d 1395-1397 (2007) identified a number of rationales to support a conclusion of obviousness which are consistent with the proper "functional approach" to the determination of obviousness as laid down in *Graham*." And, according to MPEP §2143.01, [o]bviousness can be established by combining or modifying the teachings of the prior

Patent Application No. 10/606,296
Amdt. Dated September 10, 2008
Reply to Office Action of June 11, 2008

Docket No. SAM1.PAU.14.C

art to produce the claimed invention where there is some teaching, suggestion, or motivation to

do so. *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1335 (Fed. Cir. 2006). Further, "[t]he

mere fact that references <u>can</u> be combined or modified does not render the resultant combination

obvious unless the results would have been predictable to one of ordinary skill in the art." *KSR*

International Co. v. Teleflex, Inc. 550 U.S. ___, ___, 82 USPQ2d 1385, 1396 (2007).

Additionally, according to MPEP §2143,

> [a] statement that modification of the prior art to meet the claimed
> invention would have been "<u>well within the ordinary skill of the art</u>
> at the time the claimed invention was made" because the references
> relied upon teach that all aspects of the claimed invention were
> individually known in the art is not sufficient to establish *prima
> facie* case of obviousness without some objective reason to
> combine the teachings of the references. *Ex parte Levengood*, 28
> USPQ2d 1300 (Pat. App. & Inter. 1993).

As discussed above, Venkatraman fails to show or suggest all of the claimed limitations

of the base claims 9 or 22. Eyer, which is directed to an HTML protocol for television display

and control, fails to supply that which Venkatraman lacks. Thus, Venkatraman and Eyer,

whether considered separately or in combination, fail to show or suggest all the claimed

limitations of dependent claims 12-17, 25-30, 34, 35 and 36.

Further, there is no reason, motivation or suggestion to combine Venkatraman and Eyer.

As discussed above, the remote web servers (hp.com) as taught by Venkatraman has been

equated to the server devices in a home network. There is no reason, motivation or suggestion to

incorporate such remote web servers (such as hp.com) into the home network as taught by Eyer,

as doing so would increase the traffic in the home network to become intolerable.

Patent Application No. 10/606,296
Amdt. Dated September 10, 2008
Reply to Office Action of June 11, 2008

Docket No. SAM1.PAU.14.C

Regarding claims 16 and 29, Applicant further respectfully submits that, contrary to the assertions made in the instant Office Action, Eyer does not show or fairly suggest "generating a device link file, wherein the device link file identifies the plurality of server devices; and creating the device link page including said device controls associated with the plurality of server devices identified in the device link file," as claimed. Col. 12, lines 31-35 of Eyer (relied upon in the instant Office Action) reads:

> [t]he screen, shown generally at 500, includes a "TV control" field 510, a "Home Systems" field 530, and an "Audio Center" field 550. The TV Control field 510 allows a user to control various television related functions.

From the above passage, it appears that the Examiner has equated the screen 500 as taught by Eyer to the claimed "device link file" (which Applicant respectfully traverses). However, the screen 500 in Fig. 5 of Eyer has already been equated to the claimed "device link page" by an earlier portion of the instant Office Action (which Applicant also respectfully traverses) when rejecting claims 14 and 27. As clearly set forth in the claims and in the Specification, although the "device link page" is generated based on the "device link file," they are different limitations. Thus, the instant Office Action clearly contradicts itself, and Eyer does not show or suggest at least the "device link file" as claimed.

Further, the assertions made in the Office Action on pages 6-8 that lead to a conclusion of obviousness are not explicit and the basic requirements of an articulated rationale under MPEP §2143 cannot be found. Additionally, since the combination of Venkatraman and Eyer does not teach, disclose or suggest all the limitations of Applicant's claims 9 and 22, as listed above, Applicant's claims 9 and 22 are not obvious over Venkatraman in view of Eyer since a *prima*

Patent Application No. 10/606,296
Amdt. Dated September 10, 2008
Reply to Office Action of June 11, 2008

Docket No. SAM1.PAU.14.C

facie case of obviousness has not been met under MPEP §2142. Thus, claims 9 and 22 of the present application are patentable over Venkatraman in view of Eyer for at least the reasons set forth above. Additionally, the claims that directly or indirectly depend on amended claims 9 and 22, namely claims 12-17, and 25-30 and 34-36, respectively, are also patentable over Venkatraman in view of Eyer for the same reasons as asserted above.

Accordingly, withdrawal of the rejection is respectfully requested.

Claims 20, 21 and 33

Rejection of claims 20, 21 and 33 under §103(a) as being unpatentable over Venkatraman in view of Armstrong is respectfully traversed because the claims include limitations not taught or suggested by the cited references, whether considered separately or in combination.

As discussed above, Venkatraman does not teach, disclose or suggest Applicant's amended claims 9 and 22 limitations of sending *server device characteristic data that identify the server device from the server device to the client device* in response to the client device transmitting a first request signal generated by said client device and sent to the server device; *receiving a second request signal requesting a web page* contained within said server device and associated with a server device control *that distinguishes the server device from other server devices*, wherein said second request signal is generated in response to said server device characteristic data; and *sending said web page in response to said second request signal*.

Patent Application No. 10/606,296
Amdt. Dated September 10, 2008
Reply to Office Action of June 11, 2008

Docket No. SAM1.PAU.14.C

Armstrong is relied on for disclosing detecting that the server device is currently connected to the network. Even if Armstrong is combined with Venkatraman, however, the result would not teach, disclose or suggest the limitations contained in Applicant's amended claims 9 and 22, as listed above.

Further, the instant Office Action has equated an individual home page contained within an individual device as taught by Venkatraman to the claimed "device link page," and has further equated the remote servers (hp.com) linkable from the individual home page contained within an individual device to server devices, which are respectfully traversed. Armstrong similarly fails to show or suggest the claimed "device link page."

Further, the assertions made in the Office Action on page 9 that lead to a conclusion of obviousness are not explicit and the basic requirements of an articulated rationale under MPEP §2143 cannot be found. Additionally, since the combination of Venkatraman and Armstrong does not teach, disclose or suggest all the limitations of Applicant's claims 9 and 22, as listed above, Applicant's claims 9 and 22 are not obvious over Venkatraman in view of Armstrong since a *prima facie* case of obviousness has not been met under MPEP §2142. Thus, claims 9 and 22 of the present application are patentable over Venkatraman in view of Armstrong for at least the reasons set forth above. Additionally, the claims that directly or indirectly depend on amended claims 9 and 22, namely claims 20 and 21, and 33, respectively, are also patentable over Venkatraman in view of Armstrong for the same reasons as asserted above.

Accordingly, withdrawal of the rejection is respectfully requested.

Claims 18, 19, 31 and 32

Rejection of claims 18, 19, 31 and 32 under §103(a) as being unpatentable over

Venkatraman, Eyer and Chang is respectfully traversed because the claims include limitations

not taught or suggested by the cited references, whether considered separately or in any

combination.

Chang is relied on for disclosing converting the logical device name to the device control.

Even if Chang is combined with Venkatraman and Eyer, however, the result would not teach,

disclose or suggest Applicant's amended claim 9 and 22 limitations of sending *server device*

characteristic data from the server device to the client device in response to the client device

transmitting *a first request signal* generated by said client device to the server device; and

receiving *a second request signal requesting a web page* contained within said server device and

associated with a server device control, wherein *said second request signal is generated in*

response to said server device characteristic data.

Moreover, as discussed above, the instant Office Action has equated an individual home

page contained within an individual device as taught by Venkatraman to the claimed "device link

page," and has further equated the remote servers (hp.com) linkable from the individual home

page contained within an individual device to server devices, which are respectfully traversed.

As also discussed above, there is no reason, motivation or suggestion to combine Venkatraman,

Eyer and Chang.

Further, the assertions made in the Office Action on page 10 that lead to a conclusion of obviousness are not explicit and the basic requirements of an articulated rationale under MPEP §2143 cannot be found. Additionally, since the combination of Venkatraman, Eyer and Chang does not teach, disclose or suggest all the limitations of Applicant's claims 9 and 22, as listed above, Applicant's claims 9 and 22 are not obvious over Venkatraman in view of Eyer and Chang since a *prima facie* case of obviousness has not been met under MPEP §2142. Thus, claims 9 and 22 of the present application are patentable over Venkatraman in view of Eyer and Chang for at least the reasons set forth above. Additionally, the claims that directly or indirectly depend on amended claims 9 and 22, namely claims 18-19, and 31-32, respectively, are also patentable over Venkatraman in view of Eyer and Chang for the same reasons as asserted above.

Accordingly, withdrawal of the rejection is respectfully requested.

Patent Application No. 10/606,296
Amdt. Dated September 10, 2008
Reply to Office Action of June 11, 2008

Docket No. SAM1.PAU.14.C

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests that the rejections of the claims be withdrawn, and that the case be passed to issue. If the Examiner feels that a telephone interview would be helpful to the further prosecution of this case, it is respectfully requested that the undersigned attorney be contacted at the listed telephone number.

Please direct all correspondence to **Myers, Dawes Andras & Sherman, LLP**, 19900 MacArthur Blvd., 11th Floor, Irvine, California 92612.

Respectfully submitted,

/MZ/

Michael Zarrabian
Registration No. 39,886
Myers Dawes Andras & Sherman, LLP
19900 MacArthur Blvd., 11th Floor
Irvine, CA 92612
(949) 223-9600
(949) 223-9610 – Fax
Customer No.: 23386

R:\M-Z\SAM1 - KLS - Samsung Electronics, Korea\SAM1.PAU.14.C\SAM1PAU14C-ROA-06-11-2008rev.doc